

(24)  
2/20/01  
mra

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WALTER PENN,

: CIVIL ACTION NO. 1:CV-00-0771

Plaintiff

:

v.

:

BEN E. VARNER, et al.,

: (Judge Rambo)

FILED  
HARRISBURG, PA  
FEB 20 2001

Defendants

:

:

MARY E. D'ANDREA, CLERK  
Per \_\_\_\_\_  
Deputy Clerk

O R D E R

In accordance with the accompanying memorandum, **IT IS HEREBY**

**ORDERED THAT:**

1. Defendants' motion to dismiss is **GRANTED**.
2. Plaintiff's complaint is dismissed without prejudice pursuant to 42 U.S.C. § 1997e(a).
3. The Clerk of Court shall close the file.

  
\_\_\_\_\_  
SYLVIA H. RAMBO  
United States District Judge

Dated: February 20, 2001.

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

February 20, 2001

Re: 1:00-cv-00771 Penn v. Varner

True and correct copies of the attached were mailed by the clerk to the following:

Walter Penn  
SCI-D  
SCI at Dallas  
AP-9156  
Drawer K - Follies Rd.  
Dallas, PA 18612-0286

Maryanne M. Lewis, Esq.  
Office of the Attorney General  
15th Floor, Strawberry Square  
Harrisburg, PA 17120

CC:  
Judge (X) (X) Pro Se Law Clerk  
Magistrate Judge ( ) ( ) INS  
U.S. Marshal ( ) ( ) Jury Clerk  
Probation ( )  
U.S. Attorney ( )  
Atty. for Deft. ( )  
Defendant ( )  
Warden ( )  
Bureau of Prisons ( )  
Ct Reporter ( )  
Ctroom Deputy ( )  
Orig-Security (X)  
Federal Public Defender ( )  
Summons Issued ( ) with N/C attached to complt. and served by:  
                          U.S. Marshal ( ) Pltf's Attorney ( )  
Standard Order 93-5 ( )  
Order to Show Cause ( ) with Petition attached & mailed certified mail  
                          to: US Atty Gen ( ) PA Atty Gen ( )  
                          DA of County ( ) Respondents ( )  
Bankruptcy Court ( )  
Other \_\_\_\_\_ ( )

MARY E. D'ANDREA, Clerk

DATE: February 20th, 2001

BY: Mark J. Hanrahan  
Deputy Clerk